

**8-8 Inspections and Information Gathering (1200 TN 350 8-8)**

1. **AUTHORITY.** Pursuant to the Solid Waste Disposal Act, including Sections 3001 and 3007:
  - a. To enter, inspect and obtain samples from any establishment or other place where hazardous or other wastes are or have been generated, stored, treated, disposed of or transported from; to inspect and have access to and copy all records related to such waste.
  - b. To request any establishment or other place where hazardous wastes are or have been generated, stored, treated, disposed of or transported from to furnish information relating to such waste.
  - c. To conduct monitoring and testing.
  - d. To obtain and execute warrants for the purpose of performing inspections and information gathering.
  - e. To carry out any other inspection and information gathering activities authorized by the SWDA.
  - f. To require the carrying out of any other inspection and information gathering activities authorized by the SWDA.
  - g. To designate representatives of the Administrator to perform the functions specified in subparagraphs 1.a, 1.b, 1.c, 1.d, 1.e and 1.f. above.
2. **TO WHOM DELEGATED.** The director, Land and Chemicals Division (LCD); associate director, Office of RCRA Programs, LCD; associate director, Office of Pennsylvania Remediation, LCD; associate director, Office of Remediation, LCD; director, Hazardous Site Cleanup Division (HSCD); associate director, Office of Enforcement, HSCD; director, Water Protection Division (WPD); director, Office of Enforcement, Compliance and Environmental Justice (OECEJ); chief, Enforcement and Compliance Assistance Branch, OECEJ; Regional Counsel; and chief, Waste and Chemicals Branch (ORC).
3. **LIMITATIONS.**
  - a. The delegates, other than the regional counsel and the chief, Waste and Chemical Law Branch, ORC, must consult with and obtain the concurrence of the regional counsel prior to requesting warrants
  - b. The director WPD may exercise this authority only to issue requests for information from owners or operators of publicly owned treatment works (POTWs).
  - c. The OECEJ delegates may only exercise these authorities in multi-media cases, or when conducting an inspection at the request of LCD or WPD.

**4. REDELEGATION AUTHORITY.**

- a. This authority may not be redelegated without formal amendment.
- b. The authority in 1.a., 1.b., 1.c., and 1.e., may be redelegated to the staff level.
- c. The authority in 1.d. and 1.f. may be redelegated to the branch chief level, and no further.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

**5. ADDITIONAL REFERENCES.**

- a. Sections 3001(b)(3)(B) and 3007 of the SWDA.
- b. See also Section 3013 of the SWDA for authority to require monitoring, testing, analysis and reporting.
- c. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."

6. **SUPERSESSION.** Delegations Manual, SWDA, Regional Delegation 8-8. Inspections and Information Gathering, 1200 TN RIII-164 (September 1, 2005).

Date: 1/18/2017

  
Shawn M. Garvin  
Regional Administrator